

**UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

MARTIN J. WALSH, SECRETARY OF)	
LABOR, UNITED STATES DEPARTMENT OF)	
LABOR,)	
)	
Plaintiff,)	Case No. 2:22-cv-00221-BSJ
)	
v.)	
)	
CHINATOWN SUPERMARKET LLC,)	
)	
Defendant.)	

Amended Preliminary Injunction

Having considered the Plaintiff's Motion for Temporary Restraining and Order for Defendant to Show Cause Why a Preliminary Injunction Should Not Issue [3], and having reviewed the parties' Joint Motion for the Entry of a Stipulated Preliminary Injunction [10] and Joint Motion to Amend the Stipulated Preliminary Injunction [12], it is hereby ORDERED that, pursuant to Rule 65 of the Federal Rules of Civil Procedure, the above-named Defendant is enjoined until Final Consent Order or Judgment in this matter, from:

1. Violating the provisions of Sections 11(a), 11(c) and 15(a)(5) of the FLSA;
2. Instructing anyone who works for Defendant not to speak to representatives of the Secretary or to provide false information to the Secretary regarding any of Defendant's policies or statements, their past or present schedules, hours worked, or wages paid;
3. Terminating or threatening to terminate, or retaliating or discriminating in any way against current and former employees of Defendant, based on Defendants' belief that an employee spoke with, intends to speak with, or may speak with a representative of the Secretary, filed a complaint with the Secretary, or cooperated in any way in the Secretary's investigation currently being conducted of Defendant;

4. Altering, editing, and/or destroying Defendant's time and payroll records, or creating new payroll records they do not reflect actual hours worked; or
5. Intentionally obstructing the Secretary's investigation in violation of the FLSA.


It is hereby ORDERED that the Defendant:

6. Within one week of the issuance of the Order, permit a designee of the Secretary to read aloud in English, Spanish, and Mandarin a statement, to be drafted by the Secretary's counsel, to all employees of Defendant during paid work hours, in separate shifts if necessary to minimize disruption to Defendant's business, informing them of their right to speak, without retaliation or threats of retaliation or intimidation, with WHD investigators regarding the investigation currently being conducted of Defendant;
7. Post in a location conspicuous to its employees a copy of the statement discussed above, in both English, Spanish, and Mandarin, and permitting a representative of the Secretary to provide each employee with a copy of the statement.
8. Each party will bear its own fees and costs associated with Plaintiff's Motion for Temporary Restraining and Order for Defendant to Show Cause Why a Preliminary Injunction Should Not Issue and the Joint Motion for the Entry of a Stipulated Preliminary Injunction.

SO ORDERED

BY THE COURT:

Dated this 4th day of April, 2022.



THE HON. BRUCE S. JENKINS
United States Senior District Judge